MN409.10 Minimum Standards for Providers of Conservation Technical Assistance Associated with Comprehensive Nutrient Management Plans (CNMP).

(a) A comprehensive nutrient management plan (CNMP) describes and documents a conservation system within a conservation plan that is unique to animal feeding operations.

(1) At a minimum, a CNMP must address quality criteria to the sustainable level for soil erosion and water quality for the planning unit associated with the animal feeding operation. Conservation planning activities associated with the development of a CNMP, however, should attempt to achieve a CNMP that addresses quality criteria to the RMS level for all five natural resources (soil, water, air, plants, and animals).

(2) Any CNMP developed will have the plan approved by a NRCS certified RMS level conservation planner, as defined by section 409.9.

(b) A CNMP may be comprised of six possible elements:

1. Manure and Wastewater Handling and Storage;
2. Land Treatment Practices;
3. Nutrient Management;
4. Record Keeping;
5. Feed Management; and
6. Other Utilization Options.

(c) All of the elements, except Record Keeping, are technical in nature and require a certain level of acquired expertise to adequately address. To adequately address a specific element of a CNMP would require the planning and implementation of a conservation practice(s) that addresses the resource concerns identified for that specific element. An individual that has demonstrated competency in planning and implementing conservation practices associated with one or more of the specific elements of a CNMP could qualify to be designated a "certified specialist."

(d) Record Keeping is a task completed solely by the owner/operator and is not an element that involves an approval by a certified specialist.

(e) The elements Feed Management and Other Utilization Options at present do not have NRCS conservation practice standards associated with their development and implementation. These elements are considerations in the planning process and do not require NRCS element certification. Should feed management become more than a consideration as a part of the CNMP, a qualified animal nutritionist should be used.

(f) The State Conservationist will establish a certification program that provides for certified specialists associated with the core elements of a CNMP: 1) Manure and Wastewater Handling and Storage; 2) Land Treatment Practices; and, 3) Nutrient Management.

(g) This section establishes the minimum requirements associated with certification of individuals who will approve the development/design and implementation of elements of a CNMP. Candidates for certification must also meet any additional qualifications and

requirements established by the State Conservationist. The State Conservationist will ensure that all pertinent state certification and licensing requirements (i.e., engineering license, certified nutrient management specialist, etc.) are met as a part of any program established.

(1) General Requirements. The State Conservationist will determine how competency will be demonstrated or measured as part of the certification process.

(2) Requirements Specific to Elements of a CNMP. This subsection describes the requirements specific to certain elements of a CNMP.

(i) Manure and Wastewater Handling and Storage - This element addresses the components and activities associated with the production facility, feedlot, manure and wastewater storage and treatment structures and areas, and any areas or mechanisms used to facilitate transfer of manure and wastewater. The following are required:

1. Awareness of the NRCS planning process and knowledge of USDA cost share programs, procedures and policies. This requirement can be met by attending a NRCS sponsored training session.
2. Awareness of the NRCS conservation planning process comparable to the information contained in the NRCS Conservation Planning Course, Modules one to five.
3. Working knowledge of the information contained in the NRCS Agricultural Waste Management Systems Level 2 training course. Individuals can complete this course on-line and obtain documentation of successful completion. An alternative to the on-line course can be met by successfully completing the Minnesota Ag Waste Management System course.
4. Adequate training, experience and demonstrated competence to design and implement conservation practices typically used to address this element of a CNMP. The certified specialist must be a Professional Engineer to include practice components such as storage ponds, tanks, roofs, or others, which are considered to be professional engineering practice.
5. Successful completion of NRCS approved training on the Feedlot Evaluation Model.
6. Successfully develop one CNMP Waste Management System Plan in accordance with NRCS standards and submit the completed plan to the NRCS Area Engineer for review.

(ii) Land Treatment Practices - This element addresses the land on which manure and wastewater from an animal feeding operations will be applied. The following knowledge and skills are required:

1. Demonstrated skill in applying the Revised Universal Soil Loss Equation (RUSLE) and/or the Wind Erosion Equation (WEQ) for common sites in the geographic location.
2. Demonstrated skill in using site vulnerability assessment tools, which could include the Leaching index, Soil Pesticide Interaction Ratings and the Minnesota Phosphorous (P) Index.

3. Successful completion, by obtaining a minimum score of at least 80%, of modules 1-5 of the NRCS Conservation Planning Course.
4. The ability to plan and implement the common land treatment conservation practices in the geographic location. For these practices individuals must have knowledge adequate to achieve and maintain the appropriate Ecological Science Technical Approval Authority (TAA) rating for both "practice planning" and "practice design application and compliance." Individuals must also achieve and maintain Engineering Technical Approval Authority for the common structural practices used for land treatment applications in the geographic location. Conservation practices where the designer must have appropriate TAA could include but are not limited to:

   - Conservation Crop Rotation, practice standard 328
   - Residue Management, practice standard 329A, B, C
   - Contour Buffer Strips, practice standard 332
   - Cover Crop, practice standard 340
   - Residue Management Seasonal, practice standard 344
   - Diversion, practice standard 362
   - Riparian Forest Buffer, practice standard 391
   - Filter Strip, practice standard 393
   - Grassed Waterway, practice standard 412
   - Prescribed Grazing, practice standard 528A
   - Contour Stripcropping, practice standard 585
   - Terrace, practice standard 600
   - Water and Sediment Control Basin, practice standard 638
   - Windbreak, practice standard 380

5. Develop one CNMP Land Treatment Plan in accordance with NRCS standards and submit the completed plan to the NRCS Area Resource Conservationist (ARC) for review.

(iii) Nutrient Management - This element addresses the requirements for land application of all nutrients and organic by-products (e.g., animal manure, wastewater, commercial fertilizers, crop residues, legume credits, irrigation water, etc.) that must be evaluated and documented for each Conservation Management Unit. The following knowledge, skills, and abilities are required:

1. Working knowledge of the information contained in the NRCS Introduction to Water Quality Course, or equivalent.
2. Skill in using nutrient risk assessment tools. Acceptable risk assessment tools allowed for use in Minnesota are identified as part of the state training certification process.
3. Working knowledge of the information in the NRCS Nutrient and Pest Management Considerations in Conservation Planning Course, as it pertains to nutrient management, or equivalent.
4. Knowledge adequate to design and implement NRCS conservation practice standards 590, Nutrient Management and 633 Waste Utilization. For NRCS

employees this equates to obtaining the appropriate Ecological Science TAA for "Practice Design, Application and Compliance" for these practices.

5. For third party vendors, included with knowledge of the NRCS 590 and 633 standards they must attend training on Minnesota nutrient management policy and procedures and possess the following minimum qualifications: (1) Currently a "Certified Crop Advisor" (CCA) or; (2) Education – successfully complete a minimum of 30 college credit hours in agronomy, soils and closely related courses. This requirement can be waived if the individual meets the criteria listed below:
   - Experience in nutrient management and crop production, 2 years with a college degree, 3 years with an associate degree, or 4 years with a High School degree, and
   - Letters of recommendations from serviced clients and/or employers, which detail successful experience providing advice of nutrient management.
6. All certified specialists must demonstrate their knowledge by successfully developing three, field specific Nutrient Management Plans in accordance with NRCS standards and submit the completed plans to one of the NRCS Nutrient Management Specialists for review. Nutrient plan writers may be given provisional authorization to write nutrient management plans pending completion of this item.

(h) The State Conservationist may require additional training for individuals providing technical assistance in any or all of the CNMP elements.

(i) Maintaining Certification(s). Certified CNMP specialists are responsible for keeping their own individual development plan updated to reflect training needed and completed to maintain or increase their skill level. Continuing education training to maintain and update skills must, at a minimum, consist of maintaining accreditation as a "Professional Engineer", a "Certified Crop Advisor" or completing 24 continuing education hours over a 2 year period of appropriate technical training. The continuing education requirement is for each CNMP certification held by an individual. Certified CNMP specialists must successfully develop at least 3 plans for each CNMP certification that they hold within a 3 year period with at least one plan developed each year.

(j) Quality Assurance. The Assistant State Conservationist Field Operations (ASTC (FO)) will establish a Quality Assurance Review System to ensure that each certified specialist has plans reviewed at least once every three years. CNMP specialist reviews must be documented and be consistent with the Minnesota State Quality Control Plan. Each CNMP specialist review will consist of a sufficient number of plan/design reviews to determine whether the plans/designs developed and implemented meet NRCS conservation practice standards and policy, and the intent of the Comprehensive Nutrient Management Plan Technical Guidance. For NRCS employees plan reviews will be completed by appropriate, certified, Area level personnel. For non-NRCS planners, plan reviews can be completed by any NRCS employee certified for that CNMP specialist area. Included in the review of specialists will be a determination has to whether the planner currently meets the continuing education requirements. CNMP specialist reviews will include recommendations to retain or remove CNMP specialists from certified

status. The State Conservationist will make the final determination regarding action taken CNMP specialist does not achieve a fully successful review during a spot check or Quality Assurance Review. Individuals with revoked CNMP specialist certification must be re-certified before providing CNMP planning assistance.

(k) The ASTC (FO) will maintain a list of CNMP specialists certified by NRCS. By March 1 of each year the ASTC (FO) will submit a list of all CNMP certified specialists within their Area to the State Conservationist. The ASTC (FO) will maintain their list of CNMP certified specialist in a database provided by the state office.

(l) Area Resource Conservationists (ARCs) are responsible for delegating appropriate CNMP specialist certification levels and ensuring that candidates have met the minimum criteria. This responsibility will be done with concurrence from the Area Engineer (for the Manure and Waste Water Handling Specialist) and Area Nutrient Management Specialists (for the Nutrient Management Specialist). Certified CNMP specialist approval will be documented on the "Minnesota Certified Conservation Planner and CNMP Certification Matrix" (see MN Exhibit 1, page MN409.10-4 (6). For NRCS and SWCD employees' supervisor concurrence is required for the employee to become a certified CNMP specialist. Candidates must meet any additional minimum qualifications and criteria established by the State Conservationist.

(m) The State Conservationist retains the final approval authority for all certified CNMP specialists and maintains the official statewide list(s) of certified CNMP specialist. Prior to final certification the ASTC (FO) will forward the name of each individual recommended for certification to the State Conservationist. The State Conservationist is responsible for adding all certified individuals to the official list(s) of certified CNMP specialists. This action finalizes the certification process.